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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,063	02/06/2002	Siegbert Wessels	1690	6396

7590 11/10/2003  
Striker Striker & Stenby  
103 East Neck Road  
Huntington, NY 11743

EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/889,063	WESSELS, SIEGBERT	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dang D Le	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 9/23/03 is: a) ☒ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1 and 3-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-6, 9, 10, 12, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Krueger et al. (5,530,305)

Regarding claim 1, Krueger et al. show a rotor body (43, 53, 61, 63, 65) Figures 2-4) for the rotor of the starter or the starter-generator of an internal combustion engine (intended use), comprising a hub (63) extending coaxial to the rotational axis of the rotor, wherein the rotor body is comprised of a rotationally symmetrical base body (cylindrical body with two sides), wherein said base body constitutes the hub (63), and one or more lamellas (lamination 61), wherein each lamella (single lamination) has a continuously uniform thickness in the direction of the rotational axis of the rotor, and wherein at least one lamella has rotationally asymmetrical screw-connecting piece (Figure 4, 67 not symmetrical) constituted by the lamella.

Regarding claims 3-6, 9, 10, 12, and 16, it is noted that Krueger et al. also show all of the limitations of the claimed invention.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7, 8, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger et al. in view of Kaneyuki (4,894,570).

Regarding claim 7, Krueger et al. show all of the limitations of the claimed invention except for one or more lamellas constituting at least one connecting region, which is provided for connecting the rotor body to at least one clutch element.

Kaneyuki shows one or more lamellas constituting at least one connecting region, which is provided for connecting the rotor body to at least one clutch element for the purpose of making a start/alternator.

Since Krueger et al. and Kaneyuki are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add a clutch as taught by Kaneyuki for the purpose discussed above.

Regarding claims 8 and 15, it is noted that Kaneyuki also shows all of the limitations of the claimed invention.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger et al. in view of Peter (5,103,127).

Regarding claim 11, Krueger et al. show all of the limitations of the claimed invention except for an outer circumference of said rotor body being cylindrical and that two essentially annular lamellas being provided wherein each of said essentially annular lamellas constitute a section of the outer circumference. Krueger et al. use claw tooth rotor.

Peter shows an outer circumference of said rotor body being cylindrical and that two essentially annular lamellas being provided, wherein each of said essentially annular lamellas constitute a section of the outer circumference for the purpose of making a squirrel cage rotor.

Since Krueger et al. and Peter are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to replace the claw tooth rotor of Krueger et al. with the squirrel rotor of Peter for the purpose discussed above.

Regarding claim 13, it is noted that Peter also shows all of the limitations of the claimed invention.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger et al. in view of Hashimoto et al. (5,239,218)

Regarding claim 14, Krueger et al. show all of the limitations of the claimed invention except for the inner geometry of at least one essentially annular lamella constituting teeth that serve as a pulse generator.

Hashimoto et al. show the inner geometry of at least one essentially annular lamella constituting teeth that serve as a pulse generator for the purpose of monitoring the rotor position.

Since Krueger et al. and Hashimoto et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add teeth that serve as a pulse generator as taught by Hashimoto et al. for the purpose discussed above.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Information on How to Contact USPTO***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

10/30/03

A handwritten signature in black ink, appearing to read 'Dang D Le', is written over a light gray grid background.

**DANG LE**  
**PRIMARY EXAMINER**